



CFW

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

May 3, 2005

Carolyn L. Ross

Carolyn L. Ross

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/805,118 Confirmation No. : 8507
Applicant : Vishnu K. Agarwal
Filed : March 19, 2004 Attorney Docket No.: 501082.18
Art Unit : 2815 Customer No. : 27,076
Examiner : Jesse A. Fenty
Title : DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A
CONDUCTIVE LAYER IN SAID DEVICE

TERMINAL DISCLAIMER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Marcus Simon, represent that I am the attorney of record for the above-identified application. Micron Technology, Inc. ("Micron"), a corporation of the State of Delaware having a place of business at 8000 South Federal Way, Boise, Idaho 83716-9632, is the assignee and owner of the entire 100 percent interest in the instant application. Documentary evidence of chain of title from the original owner to Micron has been filed with and recorded by the United States Patent Office at Reel 9611, Frame 0494.

Micron hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. patent that issues from U.S. Patent Application No. 09/652,994, filed on August 31, 2000, entitled DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A CONDUCTIVE LAYER IN SAID DEVICE, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period as legal title thereto and to the U.S. patent issuing from Application No. 09/652,994 is commonly owned. This agreement is to run with any patent

granted on the above-identified application and is to be binding upon the grantees, his successors and assigns.

No disclaimer is made for any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application No. 09/652,994 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a re-examination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned represents that he is an attorney of record for Micron and has the authority to execute this document on behalf of Micron. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Respectfully submitted,

DORSEY & WHITNEY LLP

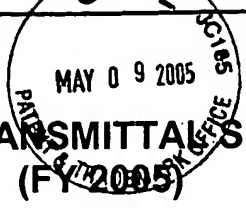


Marcus Simon
Registration No. 50,258

Enclosures:

Postcard
Check

1420 Fifth Avenue, Suite 3400
Seattle, Washington 98101
Tel: (206) 903-8800
Fax: (206) 903-8820

<p>Effective on 12/08/04</p> <div style="text-align: center;">  <p>FEE TRANSMITTAL SHEET (FY 2005)</p> </div>		<p style="text-align: center;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application No.</td><td>10/805,118</td></tr> <tr><td>Filing Date</td><td>March 19, 2004</td></tr> <tr><td>First Inventor</td><td>Vishnu K. Agarwal</td></tr> <tr><td>Group Art Unit</td><td>2815</td></tr> <tr><td>Examiner Name</td><td>Jesse A. Fenty</td></tr> <tr><td>Atty. Docket Number</td><td>501082.18</td></tr> </table>		Application No.	10/805,118	Filing Date	March 19, 2004	First Inventor	Vishnu K. Agarwal	Group Art Unit	2815	Examiner Name	Jesse A. Fenty	Atty. Docket Number	501082.18																																																																																												
Application No.	10/805,118																																																																																																										
Filing Date	March 19, 2004																																																																																																										
First Inventor	Vishnu K. Agarwal																																																																																																										
Group Art Unit	2815																																																																																																										
Examiner Name	Jesse A. Fenty																																																																																																										
Atty. Docket Number	501082.18																																																																																																										
<input type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)																																																																																																											
METHOD OF PAYMENT (Check One)		FEE CALCULATION (Continued)																																																																																																									
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No. 50-1266 ; Deposit Account Name: DORSEY & WHITNEY LLP . <input checked="" type="checkbox"/> Check Enclosed.		<p style="text-align: center;">3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Large Entity Fee</th> <th style="width: 10%;">Small Entity Fee</th> <th style="width: 60%;">Fee Description</th> <th style="width: 20%;">Fee paid</th> </tr> </thead> <tbody> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>130</td><td>65</td><td>Surcharge - Late nonprovisional filing fee or oath</td><td>\$</td></tr> <tr><td>180</td><td>180</td><td>Submission of IDS</td><td>\$</td></tr> <tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$</td></tr> <tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td>\$</td></tr> <tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td>\$</td></tr> <tr><td>1,020</td><td>510</td><td>Extension for reply within third month</td><td>\$</td></tr> <tr><td>1,590</td><td>795</td><td>Extension for reply within fourth month</td><td>\$</td></tr> <tr><td>2,160</td><td>1,080</td><td>Extension for reply within fifth month</td><td>\$</td></tr> <tr><td>790</td><td>395</td><td>Submission After Final 1.129</td><td>\$</td></tr> <tr><td>500</td><td>250</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>1,000</td><td>500</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>130</td><td>65</td><td>Terminal Disclaimer Fee</td><td>\$130</td></tr> <tr><td>800</td><td>400</td><td>Design Issue Fee</td><td>\$</td></tr> <tr><td>790</td><td>395</td><td>Request for Continued Examination (RCE)</td><td>\$</td></tr> <tr><td>130</td><td></td><td>Request for voluntary publication or republication</td><td>\$</td></tr> <tr><td>500</td><td>250</td><td>Petition to Revive - unavoidable</td><td>\$</td></tr> <tr><td>1,500</td><td>750</td><td>Petition to Revive - unintentional</td><td>\$</td></tr> <tr><td>200</td><td></td><td>Filing for patent term adjustment</td><td>\$</td></tr> <tr><td>400</td><td></td><td>Request for reinstatement of term reduced</td><td>\$</td></tr> <tr><td>1,120</td><td></td><td>Extension of term of patent</td><td>\$</td></tr> <tr><td colspan="3">OTHER FEE (specify)</td><td>\$</td></tr> <tr><td colspan="3" style="text-align: right;">Subtotal (Additional Fees)</td><td>\$130</td></tr> <tr><td colspan="3" style="text-align: right;">Total Amount of Payment:</td><td>\$130</td></tr> </tbody> </table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet	\$	130	65	Surcharge - Late nonprovisional filing fee or oath	\$	180	180	Submission of IDS	\$	40	40	Recording each patent assignment per property (times number of properties)	\$	120	60	Extension for reply within first month	\$	450	225	Extension for reply within second month	\$	1,020	510	Extension for reply within third month	\$	1,590	795	Extension for reply within fourth month	\$	2,160	1,080	Extension for reply within fifth month	\$	790	395	Submission After Final 1.129	\$	500	250	Notice of Appeal	\$	500	250	Filing a brief in support of an appeal	\$	1,000	500	Request for oral hearing	\$	130	65	Terminal Disclaimer Fee	\$130	800	400	Design Issue Fee	\$	790	395	Request for Continued Examination (RCE)	\$	130		Request for voluntary publication or republication	\$	500	250	Petition to Revive - unavoidable	\$	1,500	750	Petition to Revive - unintentional	\$	200		Filing for patent term adjustment	\$	400		Request for reinstatement of term reduced	\$	1,120		Extension of term of patent	\$	OTHER FEE (specify)			\$	Subtotal (Additional Fees)			\$130	Total Amount of Payment:			\$130
Large Entity Fee	Small Entity Fee	Fee Description	Fee paid																																																																																																								
50	25	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																								
130	65	Surcharge - Late nonprovisional filing fee or oath	\$																																																																																																								
180	180	Submission of IDS	\$																																																																																																								
40	40	Recording each patent assignment per property (times number of properties)	\$																																																																																																								
120	60	Extension for reply within first month	\$																																																																																																								
450	225	Extension for reply within second month	\$																																																																																																								
1,020	510	Extension for reply within third month	\$																																																																																																								
1,590	795	Extension for reply within fourth month	\$																																																																																																								
2,160	1,080	Extension for reply within fifth month	\$																																																																																																								
790	395	Submission After Final 1.129	\$																																																																																																								
500	250	Notice of Appeal	\$																																																																																																								
500	250	Filing a brief in support of an appeal	\$																																																																																																								
1,000	500	Request for oral hearing	\$																																																																																																								
130	65	Terminal Disclaimer Fee	\$130																																																																																																								
800	400	Design Issue Fee	\$																																																																																																								
790	395	Request for Continued Examination (RCE)	\$																																																																																																								
130		Request for voluntary publication or republication	\$																																																																																																								
500	250	Petition to Revive - unavoidable	\$																																																																																																								
1,500	750	Petition to Revive - unintentional	\$																																																																																																								
200		Filing for patent term adjustment	\$																																																																																																								
400		Request for reinstatement of term reduced	\$																																																																																																								
1,120		Extension of term of patent	\$																																																																																																								
OTHER FEE (specify)			\$																																																																																																								
Subtotal (Additional Fees)			\$130																																																																																																								
Total Amount of Payment:			\$130																																																																																																								
<p style="text-align: center;">Extra Claim Fees</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Current Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total 16</td> <td>- 27</td> <td>= 0</td> <td>x \$ 50</td> <td>= \$ 0</td> </tr> <tr> <td>Ind. 3</td> <td>- 16</td> <td>= 0</td> <td>x \$ 200</td> <td>= \$ 0</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (Extra Claims)</td> <td></td> <td>\$ 0</td> </tr> </tbody> </table>		Current Claims	Prior	Extra	Fee	Fee Paid	Total 16	- 27	= 0	x \$ 50	= \$ 0	Ind. 3	- 16	= 0	x \$ 200	= \$ 0	Multiple Dependent Claims			x \$	= \$	Subtotal (Extra Claims)				\$ 0	<p style="text-align: center;">Petition Fee Under 37 CFR 1.17(f), (g), & (h)</p> <p>Enclosed is a Petition filed under 37 CFR as indicated below:</p> <p><input type="checkbox"/> Petition Fee under 37 CFR 1.17(f) Fee \$400</p> <p>§ 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date. § 1.182 for decision on a question not provided for. § 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent. § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.</p> <p><input type="checkbox"/> Petition Fee under 37 CFR 1.17(g) Fee \$200</p> <p>§ 1.12 for access to an assignment record. § 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor. § 1.59 for expungement of information. § 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish issued. § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent. § 1.550(c) for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 1.956 for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a license. § 1.5.25 for retroactive license.</p> <p><input type="checkbox"/> Petition Fee under 37 CFR 1.17(h) Fee \$130</p> <p>§ 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication. § 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.</p>																																																																																
Current Claims	Prior	Extra	Fee	Fee Paid																																																																																																							
Total 16	- 27	= 0	x \$ 50	= \$ 0																																																																																																							
Ind. 3	- 16	= 0	x \$ 200	= \$ 0																																																																																																							
Multiple Dependent Claims			x \$	= \$																																																																																																							
Subtotal (Extra Claims)				\$ 0																																																																																																							
Submitted by:																																																																																																											
CUSTOMER NUMBER 27,076	DORSEY & WHITNEY LLP	1420 Fifth Avenue, Suite 3400 Seattle, WA 98101-4010 (206) 903-8800 phone / (206) 903-8820 fax																																																																																																									
Name: Marcus Simon		Reg. No.: 50,258																																																																																																									
Signature: <i>Marcus Simon</i>		Date: May 3, 2005																																																																																																									